

SERVICE DATE – JULY 6, 2015

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

Docket No. AB 55 (Sub-No. 739X)

**CSX Transportation, Inc. – Abandonment Exemption
in Fulton County, Georgia**

BACKGROUND

In this proceeding, CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 C.F.R. §1152.50 seeking exemption from the requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Fulton County, Georgia. The rail line proposed for abandonment, formerly known as the L&N Belt Line, extends approximately 0.37 miles between Milepost 472.27 and Milepost 472.64 at the end of the line in Atlanta (the Line). A map depicting the line in relationship to the area served is appended to this Environmental Assessment (EA). If the notice becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

ENVIRONMENTAL REVIEW

CSXT submitted an Environmental Report that concludes the quality of the human environment will not be significantly affected as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. CSXT served the Environmental Report on a number of appropriate federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules [49 C.F.R. § 1105.7(b)].¹ The Board's Office of Environmental Analysis (OEA) has reviewed and investigated the record in this proceeding.

¹ The Environmental and Historic Reports are available for viewing on the Board's website at www.stb.dot.gov by going to "E-Library," selecting "Filings," and then conducting a search for AB 55 (Sub-No. 739X).

Summary of OEA findings

Transportation System	No significant impact.
Land Use	No significant impact.
Energy	No significant impact.
Air	No significant impact.
Noise	No significant impact.
Safety	No significant impact.
Biological Resources	No significant impact.
Water	No significant impact.
Historic Report	No significant impact.

**No Conditions
Recommended**

Diversion of Traffic

According to CSXT, no local traffic has moved over the Line for at least two years and all overhead traffic was rerouted years ago. Accordingly, the proposed abandonment would not adversely impact the development, use and transportation of energy resources or recyclable commodities; transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network.

Salvage Activities

The Line is located southwest of the city center of Atlanta in a mixed industrial and residential use area. Impacts from salvage and disposal of a rail line typically include removal of tracks and ties, removal of ballast, and dismantling of any structures that may be present on the rail right-of-way. In this transaction, CSXT states that salvage has already occurred. Because the line has already been salvaged, any salvage related impacts would not occur. If abandonment authority is granted, CSXT intends to convey its right, title and interest, if any, in the Line to the developer of the Atlanta BeltLine project. This project includes the establishment of a fixed guideway transit and multi-use trail system in a 22-mile diameter ring encircling Atlanta's urban core.

Several federal and state agencies submitted comments that the proposed abandonment would have no adverse impacts to resources within their jurisdictions. Georgia Department of Natural Resources, Coastal Resources Division submitted comment that the proposed abandonment would have no environmental impacts on coastal resources and that no Federal Consistency Certification requirements are applicable. The Natural Resource Conservation Service (NRCS) submitted comments stating that the proposed abandonment would have no environmental impacts on resources within its jurisdiction, including prime agricultural land or

wetlands. The U.S. Fish and Wildlife Service (USFWS) submitted comments stating that the proposed abandonment would not affect federal trust resources under its jurisdiction and currently protected by the Endangered Species Act. The National Geodetic Survey submitted comment that no geodetic survey marks are located within the area of the proposed abandonment.

The City of Atlanta submitted comment that it is supportive of this request and that abandonment would be consistent with the City's Comprehensive Development Plan, industrial policy, Comprehensive Transportation Plan, Project Greenspace Plan, and Atlanta BeltLine Master Plan.

OEA believes that any air emissions and noise typically associated with salvage operations would not occur, as no salvage activities are contemplated by CSXT.

Based on all information available to date, OEA does not believe that salvage activities would cause significant environmental impacts.

HISTORIC REVIEW

CSXT submitted an historic report as required by the Board's environmental rules [49 C.F.R. § 1105.8(a)] and served the report on the Georgia Department of Natural Resources, Historic Preservation Division (State Historic Preservation Office or SHPO) pursuant to 49 C.F.R. § 1105.8(c). Based on available information, the SHPO has submitted comments stating that the proposed abandonment would not adversely affect National Register of Historic Places (National Register) historic properties located within the right-of-way (the Area of Potential Effect or APE) of the proposed abandonment.

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.5(b), and following consultation with the SHPO and the public, we have determined that the proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register. The documentation for this finding, as specified at 36 C.F.R. § 800.11(e), consists of the railroad's historic report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public through posting on the Board's website at <http://www.stb.dot.gov>.

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the Native American Consultation Database to identify federally-recognized tribes that may have ancestral connections to the project area.² The database indicated that the following federally-recognized tribe may have knowledge regarding properties of traditional religious and cultural significance within the right-of-way (the APE) of the proposed abandonment: Eastern Band of Cherokee Indians of North Carolina. OEA is sending a copy of this EA to this tribe for review and

² Native American Consultation Database, <http://grants.cr.nps.gov/nacd/index.cfm> (last visited June 12, 2015).

comment.

CONDITIONS

We recommend that no environmental or historic conditions be imposed on any decision granting abandonment authority.

CONCLUSIONS

Based on the information provided from all sources to date, OEA concludes that, as currently proposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Following abandonment and salvage of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 C.F.R. § 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 C.F.R. § 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Assistance, Governmental Affairs, and Compliance responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact this office directly at (202) 245-0238, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Governmental Affairs, and Compliance, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this Environmental Assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to

the attention of Adam Assenza, who prepared this Environmental Assessment. Environmental comments may also be filed electronically on the Board's website, www.stb.dot.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB 55 (Sub-No. 739X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Adam Assenza, the environmental contact for this case, by phone at (202) 245-0301, fax at (202) 245-0454, or e-mail at adam.assenza@stb.dot.gov.

Date made available to the public: July 6, 2015.

Comment due date: July 21, 2015.

By the Board, Victoria Rutson, Director, Office of Environmental Analysis.

Attachment